

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "OPTICAL SWITCHING AND ATTENUATION SYSTEMS AND METHODS THEREFOR", the specification of which is filed herewith, and is identified by Attorney's Docket No. CORE-4147.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim priority benefits under Title 35, United States Code, Section 119(e), of United States Provisional Patent Application Serial No. 60/079,994 filed 3/30/98 for OPTICAL SWITCHING USING MICRO-ELECTROMECHANICAL TECHNIQUE, and United States Provisional Patent Application Serial No. 60/105,940 filed 10/28/98 for VARIABLE OPTICAL ATTENUATOR.

I hereby appoint Pandiscio & Pandiscio, a firm composed of Nicholas A. Pandiscio, Registration No. 17293, Mark J. Pandiscio, Registration No. 30883, David A. Tucker, Registration No. 27840, and Scott R. Foster, Registration No. 20570, or any of them, of

470 Totten Pond Road, Waltham, Massachusetts 02451-1914,
(Telephone No. 781-290-0060), my attorneys with full power of
substitution and revocation, to prosecute this application and to
transact all business in the U.S. Patent and Trademark Office
connected therewith.

I hereby declare that all statements made herein of my own
knowledge are true and that all statements made on information
and belief are believed to be true; and further that these
statements were made with the knowledge that willful false
statements and the like so made are punishable by fine or
imprisonment, or both, under Section 1001 of Title 18 of the
United States Code and that such willful false statements may
jeopardize the validity of the application or any patent issued
thereon.

Inventor's signature:	_____
Inventor's full name:	<u>Parviz Tayebati</u>
Date:	_____
Residence:	<u>118 Pierce Road</u> <u>Watertown, MA 02172</u>
Post office address:	<u>same</u>
Citizenship:	<u>Iran</u>

Inventor's signature: _____
Inventor's full name: Daryoosh Vakhshoori
Date: _____
Residence: 10 Rogers Street, Apt. 205
Cambridge, MA 02142
Post office address: same
Citizenship: Iran

Inventor's signature: _____
Inventor's full name: Masud Azimi
Date: _____
Residence: 6 Danforth Road, #9
Nashua, NH 03060
Post office address: same
Citizenship: Iran

MR/CORE4147.DEC

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "OPTICAL SWITCHING AND ATTENUATION SYSTEMS AND METHODS THEREFOR", the specification of which was filed on March 30, 1999, accorded Serial No. 09/281,406, and is identified by Attorney's Docket No. CORE-4147.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim priority benefits under Title 35, United States Code, Section 119(e), of United States Provisional Patent Application Serial No. 60/079,994 filed 3/30/98 for OPTICAL SWITCHING USING MICRO-ELECTROMECHANICAL TECHNIQUE, and United States Provisional Patent Application Serial No. 60/105,940 filed 10/28/98 for VARIABLE OPTICAL ATTENUATOR.

I hereby appoint Pandiscio & Pandiscio, a firm composed of Nicholas A. Pandiscio, Registration No. 17293, Mark J. Pandiscio, Registration No. 30883, Scott R. Foster, Registration No. 20570, and William A. Bonk, III, Registration No. 40,521, or any of them, of 470 Totten Pond Road, Waltham, Massachusetts 02451-1914, (Telephone No. 781-290-0060), my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature:	<u>✓ Parviz Tayebati</u>
Inventor's full name:	<u>Parviz Tayebati</u>
Date:	<u>✓ 8/6/99</u>
Residence:	<u>118 Pierce Road</u>
	<u>Watertown, MA 02172</u>
Post office address:	<u>same</u>
Citizenship:	<u>Iran</u>

Inventor's signature:

✓



Inventor's full name:

Daryoosh Vakhshoori

Date:

✓

7/29/99.

Residence:

10 Rogers Street, Apt. 205

Cambridge, MA 02142

Post office address:

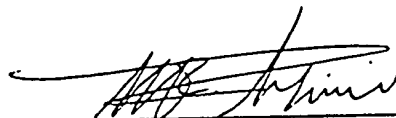
same

Citizenship:

Iran

Inventor's signature:

✓



Inventor's full name:

Masud Azimi

Date:

✓

8/5/99

Residence:

6 Danforth Road, #9

Nashua, NH 03060

Post office address:

same

Citizenship:

Iran

MR/CORE4147.DE2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Parviz Tayebati et al.
Title: OPTICAL SWITCHING AND ATTENUATION
SYSTEMS AND METHODS THEREFOR
Attorney's Docket No.: CORE-4147

Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

VERIFIED STATEMENT CLAIMING SMALL BUSINESS ENTITY STATUS

The undersigned, Parviz Tayebati, hereby declares that he is President of CoreTek, Inc., a Delaware corporation having a principal place of business at 25 B Street, Burlington, Massachusetts 01803, and is empowered to act on behalf of said corporation in this matter; that said corporation qualifies as a small business concern as defined in 13 C.F.R. 121.3-18 for purposes of paying reduced fees under Title 35, United States Code, Sections 41(a) and (b), in that the number of employees of said corporation, including those of its affiliates, does not exceed 500 persons.

For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I further declare, on information and belief, that exclusive rights under contract have been conveyed to and remain in said corporation with regard to the invention described and claimed in the above-identified U.S. patent application.


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

CORE-4147

statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Section 1001, and that such willful false statements may jeopardize the validity of the above-identified application, any patent issuing thereon, or any patent to which this verified statement is directed.

CoreTek, Inc.

Date: 3/30/99

By: 
Parviz Tayebati
President

KR/CORE4147.VS

CORE-4147



Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/281,406	03/30/99	TAYEBATI	P CORE-4147

0242/0423

PANDISCIO & PANDISCIO
470 TOTTEN FOND ROAD
WALTHAM MA 02451-1914

NOT ASSIGNED

2875

DATE MAILED:

04/23/99

NOTICE TO FILE MISSING PARTS OF APPLICATION *Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The Items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$_____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$_____ for _____ total claims over 20.

\$_____ for _____ independent claims over 3.

\$_____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
- ☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER: _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Parviz Tayebati et al.
Serial No.: 09/281,406
Filing Date: 03/30/99
Title: OPTICAL SWITCHING AND
ATTENUATION SYSTEMS AND
METHODS THEREFOR
Group Art Unit: 2875
Examiner: Unknown
Attorney's Docket No.: CORE-4147

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

REQUEST FOR RECORDATION

Enclosed is an Assignment of the above-identified patent application from the inventors, Parviz Tayebati, Daryoosh Vakhshoori and Masud Azimi, to CoreTek, Inc.

Would you please record the Assignment and then please return the original, recorded assignment to the below-signed attorney.

Enclosed is a check in the amount of \$40.00 to cover the fee for recording the Assignment.

Please charge any additional fees which may be due in connection with this matter, or credit any overpayment, to Deposit Account No. 16-0221. A duplicate copy of this letter is enclosed for the convenience of the Patent and Trademark Office.

Thank you.

Respectfully submitted,

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON:

AUGUST 23, 1999

(DATE OF DEPOSIT)

MARK J. PANDISCIO

(NAME OF ATTORNEY)

Mark J. Pandiscio 8/23/99

(SIGNATURE)

MB/CORE4147.REQ

8/23/99

(DATE OF SIGNATURE)

Mark J. Pandiscio 8/23/99
Mark J. Pandiscio
Registration No. 30,883
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, MA 02451-1914
Tel. No. (781) 290-0060

CORE-4147

CORDATION FORM COVER SHEET
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings ▾ ▾ ▾ ▾ ▾ ▾ ▾ ▾ ▾ ▾

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Parviz Tayebati
Daryoosh Vakhshoori
Masud Azimi

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: CoreTek, Inc.

Internal Address: _____

Street Address: 25 B Street

City: Burlington State: MA ZIP: 01803

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other _____

Execution Date: August 6, 1999

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/281,406

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mark J. Pandiscio

Internal Address: _____

Street Address: Pandiscio & Pandiscio

470 Totten Pond Road

City: Waltham State: MA ZIP: 02451-1914

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☒ Enclosed

☒ Authorized to be charged to deposit account
(any deficiencies)

8. Deposit account number:

16-0221

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Mark J. Pandiscio

Name of Person Signing



Signature

8/23/99

Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box 4000

ASSIGNMENT

We, Parviz Tavebati, Daryoosh Vakhshoori
and Masud Azimi, residing respectively at 118 Pierce Road,
Watertown, MA 02172, 10 Rogers Street, Apt. 205, Cambridge,
MA 02142, and 6 Danforth Road, #9, Nashua, NH 03060
having invented improvements in OPTICAL SWITCHING AND ATTENUATION SYSTEMS AND**
and having this day executed an application for United States patent describing
the same and based thereon (and we hereby authorize our attorney(s), authorized
to prosecute said application, to here insert the filing date and serial number
of said application, when known, Serial No. 09/281,406, Filed 03/30/99),
for good and valuable consideration, receipt of which is hereby acknowledged
from CoreTek, Inc. a Delaware

Burlington, MA corporation having its principal place of business in hereinafter called the Assignee (which term shall include its successors and assigns) do hereby sell, assign and transfer unto the Assignee our entire right, title, and interest, in and throughout the United States of America (including its territories and dependencies) and all countries foreign thereto, in and to and under said application (which term shall include hereinafter where the context so admits all divisional, continuing, reissue and other patent applications based thereon) and the inventions (which term shall include each and every such invention, or any part thereof) therein described, and any and all patents and like rights of exclusion (including extensions thereof) of any country which may be granted on or for said inventions or on said application.

And for the same consideration we do also hereby sell, assign and transfer unto the Assignee all our rights under the International Convention for the Protection of Industrial Property and all other treaties of like purpose in respect of said inventions and said application and we do hereby authorize the Assignee to apply in our names or its own name for patents and like rights of exclusion on or for said inventions in all countries, claiming (if the Assignee so desires) the priority of the filing date of said application under the provisions of said Convention or any such other treaty;

And for the same consideration we do hereby jointly and severally agree for ourselves and for our respective heirs, executors and administrators, promptly upon request of the Assignee, to execute and deliver without further compensation any power of attorney, assignment, original, divisional, continuing, re-issue or other application or applications for patent or patents or like rights of exclusion of any country, or other lawful documents and any further assurances that may be deemed necessary or desirable by the Assignee fully to secure to it said right, title, and interest as aforesaid in and to said inventions, application, and said several patents and like rights of exclusion, or any of them, all, however, at the expense of the Assignee;

And we do hereby authorize and request the Commissioner of Patents of the United States of America and the corresponding Officer of each country foreign thereto to issue to the Assignee any and all patents and like rights of exclusion which may be granted in any country upon said application or on or for said inventions;

★ ★ METHODS THEREFOR

DOCKET
NO.

CORE-4147

- 1 -

And we do hereby jointly and severally covenant for ourselves and for our respective legal representatives and agree with the Assignee that we have granted no right or license to make, use or sell said inventions to anyone except the Assignee, that prior to the execution of this deed our right, title and interest in and to said inventions has not been otherwise encumbered by us, and that we have not executed and will not execute any instrument in conflict herewith.

IN WITNESS WHEREOF, we hereunto set our hands and seals on the day and year hereinafter noted.

✓ [Signature]
Parviz Tayebati
✓ [Signature]
Daryoosh Vakhshoori
✓ [Signature]
Masud Azimi

State of MA
County of Middlesex ss.

Before me this 6TH day of August, 1999, personally appeared Parviz Tayebati, who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.

SEAL ✓

✓ [Signature]
NOTARY PUBLIC
ROXANNE T. VOLPE
NOTARY PUBLIC
My commission exp. Nov. 12, 1999

State of MA
County of Middlesex ss.

Before me this 6TH day of August, 1999, personally appeared Daryoosh Vakhshoori, who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.

SEAL ✓

✓ [Signature]
NOTARY PUBLIC
ROXANNE T. VOLPE
NOTARY PUBLIC
My commission exp. Nov. 12, 1999

State of MA
County of Middlesex ss.

Before me this 6TH day of August, 1999, personally appeared Masud Azimi, who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.

SEAL ✓

✓ [Signature]
NOTARY PUBLIC
ROXANNE T. VOLPE
NOTARY PUBLIC
My commission exp. Nov. 12, 1999

- 2 -

DOCKET
NO.

CORE-4147

ANDRUSIO & PANDISIO
470 TOTTEN FOND ROAD
WALTHAM, MA 02154
TEL: (617) 290-1000
TELECOPIER: (617) 290-4800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Parviz Tayebati et al.
Serial No.: 10/167,378
Filed: 6/11/2002
For: OPTICAL SWITCHING AND ATTENUATION
SYSTEMS AND METHODS THEREFOR
Group Art Unit: 2872
Examiner: J. Phan
Attorney's Docket No.: CORE-4147 DIV

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

Sir:

ASSOCIATE POWER OF ATTORNEY

Please recognize as Associate Attorney in the above-identified application, with full power to prosecute said application, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office connected therewith:

James A. Sheridan Registration No. 43,114

who may be contacted at:

Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, MA 02451-1914
(781) 290-0060 (voice)
(781) 290-4840 (facsimile)

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL,
POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: COMMISSIONER
FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

July 7, 2003

(DATE OF DEPOSIT)

James A. Sheridan

(NAME OF ATTORNEY)


James A. Sheridan 7/7/03

(SIGNATURE)

July 7, 2003

(DATE OF SIGNATURE)

Respectfully submitted,


Nicholas A. Pandiscio
Registration No. 17,293
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, MA 02451-1914
Tel. (781) 290-0060